



OKLAHOMA CITY AREA INTER-TRIBAL HEALTH BOARD

P.O. Box 57377 • Oklahoma City, OK 73157-7377
(405) 951-3695

January 11, 2006

Centers for Disease Control and Prevention,
Division of Global Migration and Quarantine,
ATTN: Q Rule Comments,
1600 Clifton Road, NE, (E03),
Atlanta, GA, 30333

After examination of the proposed rule re: quarantine, on behalf of the Oklahoma City Area Inter-Tribal Health Board (OCAITHB), I offer the following comments:

1. Thank you for implementing recent policies regarding Tribal Consultation into the Proposed Rule processes. By following careful consultation, many of my following comments may be without merit.
2. The economic analysis provided goes into great detail to address the impact on public transportation (air and water) but fails to consider any impact quarantine may have on Tribal economies (or for that matter, state economies).
3. **Section 70.27 Indian Country, paragraph 2** states: "The Secretary of the Interior, through 25 U.S.C. 231, may also permit State agents and employees to enter upon Tribal lands for the purposes of making inspections of health and educational conditions and enforcing sanitation and quarantine regulations."

Special Government-to-Government relationships exist between Tribal Governments and the Federal Government that do not necessarily exist between Tribal Governments and State Governments. Careful consideration of tribal concerns voiced in consultation should be taken before permitting state agents and employees to enter upon Indian lands for the stated purposes.

4. **Section 70.27 Indian Country, paragraph 4** states: "Similarly, with respect to a person or group of persons in Indian country, the Director may exercise public health measures appearing in this part provided that such person or group of persons is in the

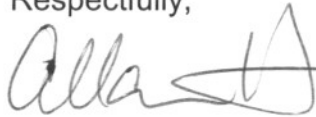
Absentee Shawnee Tribe
Apache Tribe of Oklahoma
Caddo Tribe of Oklahoma
Cherokee Nation of Oklahoma
Cheyenne & Arapaho Tribes
Chickasaw Nation
Choctaw Nation of Oklahoma
Citizen Potawatomi Nation
Comanche Tribe of Oklahoma
Muscogee(Creek) Nation
The Delaware Nation
Delaware Tribe of Indians
Eastern Shawnee Tribe
Fort Sill Apache Tribe
Iowa Tribe of KS & NE
Iowa Tribe of Oklahoma
Kaw Nation
Kialagee Tribal Town
Kickapoo Tribe in Kansas
Kickapoo Tribe of Oklahoma
Kickapoo Tribe of Texas
Kiowa Tribe of Oklahoma
Miami Tribe of Oklahoma
Modoc Tribal Council
Osage Tribe of Indians
Otoe-Missouria Tribe
Ottawa Tribe
Pawnee Nation
Peoria Tribe
Ponca Tribe of Oklahoma
Prairie Band Potawatomi Nation
Quapaw Tribe of Oklahoma
Sac & Fox Tribe of Missouri
Sac & Fox Nation of Oklahoma
Seminole Nation of Oklahoma
Seneca-Cayuga Tribe
Thlopthlocco Tribal Town
Tonkawa Tribe of Oklahoma
Wichita & Affiliated Tribes
Wyandotte Nation

qualifying stage of a quarantinable disease and either (i) moving or about to move from a State to another State; or (ii) a probable source of infection to persons who will be moving from a State to a State.”

In some instances, geographic boundaries of Indian Country do not stop at the geographic boundary of a state or even the US boundary (ie: Navajo Nation crosses states and the Tohonto O'odom Reservation crosses into Mexico). Consideration of these geographic boundaries should be taken if quarantine is imposed on affected tribal members.

Thank you for the opportunity to comment on the proposed rule prior to it being final. Again, including consultation into the proposed rule is appreciated. I encourage you to consider the above comments as you move toward a final rule. If you have questions about my comments, please contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'Allan Harder', followed by a long horizontal line extending to the right.

Allan Harder
Executive Director

CC: OCAITHB
